

Presentment Date: January 22, 2014 at 10:00 a.m. (Prevailing Eastern Time)
Objection Deadline: January 17, 2014 at 4:00 p.m. (Prevailing Eastern Time)
Hearing Date: None, unless objections are filed

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Management, LLC and WBD K Road Power
BG LLC*

*Attorneys for Mark Holiday, the Liquidating
Trustee Of The BosGen Liquidating Trust*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
BOSTON GENERATING, LLC, <u>et al.</u> ,	:	Case No. 10-14419 (SCC)
	:	
Debtors.	:	Jointly Administered
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	:	
MARK HOLLIDAY, the Liquidating Trustee of the	:	
BosGen Liquidating Trust,	:	
	:	
Plaintiff,	:	Adversary Proceeding
	:	
-against-	:	No. 12-01879 (SCC)
	:	
K ROAD POWER MANAGEMENT LLC, <u>et al.</u> ,	:	
	:	
Defendants.	:	
-----	X	

**NOTICE OF PRESENTMENT OF STIPULATION AND CONSENT ORDER
PURSUANT TO FED. R. CIV. P. 41(a) DISMISSING ACTION
WITH PREJUDICE WITH RESPECT TO K ROAD DEFENDANTS**

PLEASE TAKE NOTICE that the undersigned intends to present for approval, signature and entry the annexed Stipulation And Consent Order Pursuant To Fed. R. Civ. P. 41(a) Dismissing Action With Prejudice With Respect To K Road Defendants (the “Stipulation And Consent Order”) among Mark Holliday, the successor Liquidating Trustee (the “Trustee”) of the BosGen Liquidating Trust (the “Trust”), and Nicholas Donahue, Paul Ehrenzeller, Mark Friedland, Daniel O’Shea, William Kriegel, Scott Silverstein, Barry Sullivan, David Tohir, K Road Power Management, LLC, and WBD K Road Power BG LLC (collectively, “K Road Defendants” and, together with the Trustee, the “Parties”) to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, on **January 22, 2014 at 10:00 a.m.** (prevailing Eastern time) (the “Presentment Date”).

PLEASE TAKE FURTHER NOTICE that responses or objections, if any, to the Stipulation And Consent Order must be in writing, must conform to the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and the Local Rules of the Bankruptcy Court for the Southern District of New York, must set forth the name of the objecting party, the basis for the objection and the specific grounds therefore, and must be filed with the Bankruptcy Court, by **January 17, 2014 at 4:00 p.m.** (prevailing Eastern Time) electronically in accordance with General Order M-242 (General Order M-242 and the User’s Manual for the Electronic Case Filing System may be found at www.nysb.uscourts.gov, the official website for the Bankruptcy Court) by registered users of the Bankruptcy Court’s case filing system, and by all other parties in interest on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), in accordance with General Order M-242, and any objection or response must further be served upon: (i) Quinn Emanuel Urquhart & Sullivan LLP, 51 Madison Avenue, New

York, New York 10010, Attn. Susheel Kirpalani, Esq., James C. Tecce, Esq., and Daniel Holzman, Esq.; (ii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004, Attn. Andy Velez-Rivera, Esq., Paul Schwartzberg, Esq., Brian Masumoto, Esq., Linda Riffkin, Esq., and William Harrington, Esq.; (iii) Gruber, Hurst, Johansen, Hail, & Shank, 1445 Ross Avenue, Suite 2500, Dallas, Texas 75202, Attn. Michael Gruber, Esq. and Jeffrey R. Erler, Esq.; (iv) Andrews Kurth, LLP, 450 Lexington Avenue, New York, New York 10017, Attn. Paul N. Silverstein, Esq.; and (v) any person or entity with a particularized interest in the Stipulation And Consent Order, so as to be received no later than **January 17, 2014 at 4:00 p.m.** (prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE, that if no response or objection is timely filed and served with respect to the Stipulation And Consent Order, the Parties will submit the Stipulation And Order to the Bankruptcy Court on the Presentment Date, and the Bankruptcy Court may enter the Stipulation And Consent Order without a hearing and with no further notice or opportunity to be heard offered to any party.

Dated: January 10, 2014
New York, New York

**QUINN EMANUEL URQUHART &
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